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### TELECOPY

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**Date:**

June 28, 2004

**Recipient:**

Examiner Phuong T. Bui  
Crystal Mall 1, Art Unit 1638

**Company:**

U.S. Patent and Trademark Office

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**Sender:**

David M. Saravitz

**Message:**

Re: U.S. Patent Application for OAR Polynucleotides, Polypeptides and Their Use in PHA  
Production in Plants  
Appl. No. 10/024,806, filed December 19, 2001

Number of Pages: (including cover page)

3

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USER CODE: SARAV	REQUESTED BY: Polly Burton
CLIENT/MATTER: 035718/241887	OPERATOR:

RTA01/2157614v1

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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/024,806 Confirmation No.: 6104  
Applicant(s): Zheng *et al.*  
Filed: December 19, 2001  
Art Unit: 1638  
Examiner: Bui, Phuong T.  
Title: OAR POLYNUCLEOTIDES, POLYPEPTIDES AND THEIR USE IN PHA  
PRODUCTION IN PLANTS

Docket No.: 035718/241887 (5718-128)  
Customer No.: 29122

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## INTERVIEW SUMMARY

Sir:

A telephonic interview in the above-referenced application occurred on May 13, 2004 between Examiner Bui and Applicants' representative, David M. Saravitz. The interview was initiated by Examiner Bui. Applicants provide below a summary of the interview.

Claim 8 was discussed. Examiner Li indicated that claim 8 was indefinite under 35 U.S.C. § 112, second paragraph, for the recitation of "first promoter" and "first nucleotide sequence" when there was no recitation therein of "second promoter" and "second nucleotide sequence". The Examiner proposed to enter an Examiner's Amendment to delete both recitations of "first" from claim 8. An agreement was reached, and Applicants' representative authorized the Examiner's Amendment.

Applicants note for the record that the amendment of claim 8 to delete both recitations of "first" is not intended to limit the scope of their claimed invention. Applicants authorized the amendment due to the previous cancellation of claim 12 which depended from claim 8. Claim 12 included the recitation of both "second promoter" and "second nucleotide sequence" but was cancelled by Applicants without prejudice or disclaimer for being drawn to non-elected subject matter.

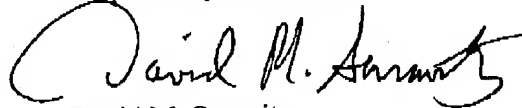
R7A01/2157611v1

In re: Zheng *et al.*  
Appl. No. 10/024,806  
Filed: December 19, 2001  
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The Examiner is respectfully requested to enter this Interview Summary into the above-referenced application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those, which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

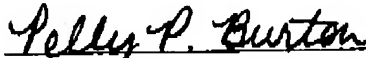


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